

# EXHIBIT A

**Michael Barrett**

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**From:** Donald Kushner  
**Sent:** Monday, March 03, 2008 7:26 AM  
**To:** Joseph Caramadre  
**Cc:** peter@peterlocke.net  
**Subject:** RE: How go the wars?

Have we had any new turn overs on the annuitants?

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**From:** Joseph Caramadre [mailto:joecaramadre@td.com]  
**Sent:** Sunday, March 02, 2008 6:28 PM  
**To:** peter@peterlocke.net  
**Cc:** Donald Kushner  
**Subject:** RE: How go the wars?

Hey guys:

I will have tax records completed for DK LLC on or around March 10<sup>th</sup>. We still need the Dow to go below 12,000 so that we can lock in the gain we discussed in Vegas. If you recall we needed one more bad day on the Dow to lock in. We didn't get the bad day, but hopefully the market looks ready to go south soon. I will have an update soon. Best Regards, Joe

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**From:** Peter Locke [mailto:peter@peterlocke.net]  
**Sent:** Wednesday, February 27, 2008 3:07 PM  
**To:** Joseph Caramadre  
**Cc:** 'Donald Kushner'  
**Subject:** How go the wars?

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KUSH-000657

**Michael Barrett**

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**From:** Joseph Caramadre [JoeC@██████████.com]  
**Sent:** Tuesday, March 13, 2007 7:44 PM  
**To:** Donald Kushner  
**Subject:** RE: update of contract & annuities

Donald:

As you know, I asked Brad to convey to you a couple of days ago that I am working hard to get our business in order. As expected, my law firm is researching all the issues involved with making certain there will be no problems, which will enable us to hit the road running when we begin. I have been told that a draft copy of our LLC agreement will be ready for my review in a few days, and then will be forwarded to Matt Marcello. I will be leaving for FL tomorrow morning (March 14th) returning to work on March 22nd. In the meantime, I will have access to email and will reviewing the proposed draft agreement and responding to your questions.

You can reach me on my cell phone (401) ██████████ (very private #, assume at least 2 gov't agencies are listening in on our conversation). Also, feel free to reach me on my wife Paula's cell phone # 401-██████████. Paula's cell is on more hours of the day and she has no problem with you reaching me through her number, especially since I will probably be with her and the kids most of the time attempting to enjoy a rest at the TRUMP TOWER.

With regards to your 2 annuity contracts: The Nationwide contract is locked-in at highest monthly ratchet value of about \$1,189,000, or about 19% PROFIT so far. Bad News on your Midland Nat'l contract ~ your contract annuitant passed away, leaving you with a claimable policy. As the Mid Nat'l policy is invested in a Double Short Dow Fund, you picked up some gains today due to the great news of the Dow being down about 2%. My recommendation is that we stay the course on the short side, hope for a real correction (another 5% - 10%) and then you can walk away with a nice profit. This is how many of my clients, including myself, are currently positioned with these rising floor annuities. Please let me know if you object to this short-term strategy as I am not offended if you want to change the investment direction (especially now that your annuitant is deceased).

Best Regards, Joe C.

[Joseph Caramadre]

-----Original Message-----

**From:** Donald Kushner [mailto:donald@██████████.com]  
**Sent:** Tuesday, March 06, 2007 09:36  
**To:** Joseph Caramadre  
**Subject:** RE: annuities

Have you gotten an agreement over to Matt Marcello to review?

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**From:** Joseph Caramadre [mailto:JoeC@██████████.com]  
**Sent:** Sunday, February 25, 2007 6:08 PM  
**To:** Donald Kushner  
**Cc:** Joseph Caramadre; ██████████@aol.com  
**Subject:** RE: annuities

Donald:

I have been working on the specifications of our soon-to-be created RI LLC. My attorneys have reviewed many different issues regarding taxation, legal liability, enforceability of our contracts (to the issuers), and the best way to leverage our potential gains without problems. The following are the bullet points that we will put in contract form.

**Michael Barrett**

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**From:** Joseph Caramadre [Joseph.Caramadre@att.net]  
**Sent:** Friday, March 16, 2007 8:42 AM  
**To:** Donald Kushner  
**Subject:** RE: update of contract & annuities

Donald:

It is a rather complicated process to figure out your gain on the contract with Mid. Nat'l Life. Below I will attempt to give you a brief description of the moving parts to a death claim with your MNL contract. As you know, I am in FL and I am going on memory, rather than actually citing the contractual provisions which I will review with you upon my return on March 22nd.

1. day of death is 3/3/07. Unfortunately, the contract will only measure your earnings enhancement rider EE based on the gain (40% of amount in excess of \$1M) on the date of death, not through the date of claim. This EE will be added to the greater of 3 death benefit calculations, which are measured at day of claim (up to 6 months after day of death):
- a. the contract value as of day of claim
  - b. a rising floor death benefit of 6% per annum, measured daily until claim date.
  - c. the highest annual anniversary account value. (this will not be applicable due to the fact your account will not be more than 1 year old at time of claim.)

In summary, your account value was approximately \$1,026,500 on 3/3/07, which will limit your EE to 40% of \$26,500 or about \$10,600. Unfortunately your account value was at about \$1,070,000 on March 5th, and as low as \$1,008,697 on Feb 27th., which would have made the expected EE of \$10,600 substantially more (if day of death was 3/5) or create a lower EE if day of death was 2/27. Sometimes life just isn't fair.

This \$10,600 will be added to the greater of (a) or (b) below:

- (a) the contract value on day of claim, or
- (b) \$1,000,000 plus rising floor interest of 6% (from starting date of 10/4/06 through claim date, assume claim date will be about 4/4/07, this minimum interest will be \$30,000.

As I stated earlier, I am praying for a small correction in the next week or so. If we can get your account up to \$1,100,000 that would be my target in the next 10 days. If not, we put in claim and start all over. I would like your feedback about what direction (up or down) you think the market will go in the next 10 days.

On the contract issue for the LLC, my law firm sent me all kinds of disclaimers that I have to amend before I forward contract to Matt Marcello. If you could let me know if your \$10M could be in your name alone or if I have to list Steve and Peter as originating shareholders as well.

Thanks, Joe C.

If you want to call me, I am at the Trump Towers in Suite # 2409. (305-666-1000) Today it is raining so I'll be in more than out.

-----Original Message-----

**From:** Donald Kushner [mailto:donald.kushner@att.net]  
**Sent:** Wednesday, March 14, 2007 00:31  
**To:** Joseph Caramadre  
**Subject:** RE: update of contract & annuities

**Michael Barrett**

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**From:** Donald Kushner  
**Sent:** Wednesday, March 12, 2008 7:17 AM  
**To:** Joseph Caramadre; peter@peterlocke.net  
**Cc:** Edward Hanrahan  
**Subject:** DK LLC - tax reporting for yar 2007

I think we will need a distribution of the net income(both interest and capital gains) in 2007 so we can help pay some of the costs of the money we borrowed.

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**From:** Joseph Caramadre [mailto:jcaramad@peterlocke.com]  
**Sent:** Friday, March 07, 2008 8:57 AM  
**To:** Donald Kushner; peter@peterlocke.net  
**Cc:** Joseph Caramadre; Edward Hanrahan  
**Subject:** DK LLC - tax reporting for yar 2007

Donald & Peter:

Please see attached information which will be prepared on a K-1 for the tax year 2007 regarding our interests in DK LLC. As you know, we only have to report actual received income in 2007. We have already rec'd \$198,111.07 in early 2008.

I will give a balance sheet with a closing date of 12/31/07. With regards to the Variable Annuities, we will not recognize the gains or losses (based on cash value of variable annuities) due to the fact that we haven't redeemed any in 2007.

I will have more detailed news in about a week.  
Three other points of interest:

1. As we discussed, we pulled out of the market in the Dow 2x inverse fund on Wed. The market was -226 at about 2:30PM, we pulled the plug at -145 at 3:PM and then the market rebounded to close at only -40.
2. Also, we expect claim proceeds on the \$1M ING variable annuity.
3. We are invested in 3 more death put bonds accounts. One has already delivered.

Call me with your thoughts and feedback.

Regards, Joe

Joseph A. Caramadre, Esquire, CPA, CLU, ChFC, CFP  
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**Michael Barrett**

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**From:** Donald Kushner  
**Sent:** Friday, October 10, 2008 6:51 AM  
**To:** Joseph Caramadre; peter@peterlocke.net  
**Subject:** RE: have we gone down 1,000pts?

Maybe we should consider taking a profit on our short positions right now. Can we talk Tuesday morning?

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**From:** Joseph Caramadre [mailto:Joe@eprworld.com]  
**Sent:** Friday, October 10, 2008 6:31 AM  
**To:** peter@peterlocke.net  
**Cc:** Donald Kushner  
**Subject:** RE: have we gone down 1,000pts?

Hey guys

I am traveling to Canada this morning and will be back Tuesday morning. Some of our investment are short, however, we also have a majority in long positions as we have agreed upon earlier. This market is crazy and we should remember that we are in for the long term and our principal (and small interest) is always guaranteed. Everything is fine and we can discuss when I get back on Tuesday morning. Regards, Joe

Joseph A. Caramadre, Esquire, CPA, CLU, ChFC, CFP  
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**From:** Peter Locke [mailto:peter@peterlocke.net]  
**Sent:** Thursday, October 09, 2008 6:59 PM  
**To:** Joseph Caramadre  
**Cc:** 'Donald Kushner'  
**Subject:** have we gone down 1,000pts?

If so, are we contemplating a move?

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**Michael Barrett**

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**From:** Donald Kushner  
**Sent:** Friday, January 23, 2009 1:57 AM  
**To:** Joseph Caramadre  
**Cc:** Peter Locke  
**Subject:** DKLLC

The following is what we discussed yesterday:

We would invest the one million that we have in cash in DKLLC in Death Bonds which we will leverage and margin. We expect an additional 1 million in Death bond receipts by February 15 which we will also invest in death bonds in a measured but "leveraged margined way"... You will reaffirm the ability of Peter and me on signing on the bonds as a "co tenant and investigate the need for us to obtain life insurance to pledge to the partnership in the event of one of our deaths and in the event that you can transfer it back to the DKLLC. Once the measuring life of our annuities passes away (God rests his soul) then we will apply these funds toward additional death bonds. We discussed diversifying the allotment of death bonds by investing in several different securities and with several different co tenants. If we do succeed in negotiating a cap with a quick pay out (albeit for a reduce amount) with one of the companies we are investing in then we will concentrate additional margined resources to these issues. In other words our investments in the pre negotiated death bonds would be leverage in a more dramatic way. We will always leverage up are investments in a measured way, but we will be short of "balls to the wall" until we have received our original investment back. In this instance we would then invest more in the "balls to the wall" range. Diversity is always are measuring stick. Diversity of co tenants(hospice patients), diversity in the co tenants on our side and by utilizing I, Peter Joe and Joe's wife and diversity in the blend of "deat Bonds"

I hope this summarizes are meeting yesterday. If Joe or Peterr have comments on the above please give them to us. We very excited to proceed..

DKO 448

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**Michael Barrett**

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**From:** Donald Kushner  
**Sent:** Friday, October 10, 2008 6:51 AM  
**To:** Joseph Caramadre; peter@peterlocke.net  
**Subject:** RE: have we gone down 1,000pts?

Maybe we should consider taking a profit on our short positions right now. Can we talk Tuesday morning?

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**From:** Joseph Caramadre [mailto:Joe@eprworld.com]  
**Sent:** Friday, October 10, 2008 6:31 AM  
**To:** peter@peterlocke.net  
**Cc:** Donald Kushner  
**Subject:** RE: have we gone down 1,000pts?

Hey guys

I am traveling to Canada this morning and will be back Tuesday morning. Some of our investment are short, however, we also have a majority in long positions as we have agreed upon earlier. This market is crazy and we should remember that we are in for the long term and our principal (and small interest) is always guaranteed. Everything is fine and we can discuss when I get back on Tuesday morning. Regards, Joe

Joseph A. Caramadre, Esquire, CPA, CLU, ChFC, CFP  
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**From:** Peter Locke [mailto:peter@peterlocke.net]  
**Sent:** Thursday, October 09, 2008 6:59 PM  
**To:** Joseph Caramadre  
**Cc:** 'Donald Kushner'  
**Subject:** have we gone down 1,000pts?

If so, are we contemplating a move?

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*JKO 4/8*



**Michael Barrett**

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**From:** Joseph Caramadre [mailto:JoeC@██████████.com]  
**Sent:** Wednesday, October 10, 2007 9:41 AM  
**To:** Donald Kushner  
**Cc:** Edward Hanrahan; Joseph Caramadre  
**Subject:** RE: annuities  
**Attachments:** DKLLC-Update 10-9-07.xls

Donald:

Please find attached excel file which has some "Put Bonds" activity of the First Investment in the 1st worksheet. The second worksheet has inventory of variable annuities and the 3rd worksheet has summary information. It is recommended that you call me after receiving this information so that I can tell you our future investment allocations.

Although it has taken some time to get allocated, the next waive of profits should be more exciting and profitable. Thanks Joe C.

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**From:** Donald Kushner [mailto:donald@██████████.com]  
**Sent:** Wednesday, October 03, 2007 2:22 PM  
**To:** Joseph Caramadre  
**Subject:** RE: annuities

Thanks, I thought so.

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**From:** Joseph Caramadre [mailto:JoeC@██████████.com]  
**Sent:** Wednesday, October 03, 2007 11:00 AM  
**To:** Donald Kushner  
**Subject:** RE: annuities

It means that the bond issuer won't redeem at par. We still own the bonds and can sell them at little or no loss. Also, we are trying to create an "internal sale" of these particular bonds into another account DK LLC has with another measuring life. As you should know by now, we will never be out of money that we invest. Talk to you soon.

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**From:** Donald Kushner [mailto:donald@junctionfilm.com]  
**Sent:** Wednesday, October 03, 2007 12:00 PM  
**To:** Joseph Caramadre  
**Cc:** Edward Hanrahan  
**Subject:** RE: annuities

What does it mean that the balance of 500K invested in death put bonds is unredeemable? Are we out this money? Or just that we will have to redeem it at a slight loss?

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**From:** Joseph Caramadre [mailto:JoeC@epr.coxatwork.com]  
**Sent:** Wednesday, October 03, 2007 8:33 AM  
**To:** Donald Kushner  
**Cc:** Joseph Caramadre; Edward Hanrahan  
**Subject:** RE: annuities

Donald:

I will be sending you updated information soon. I am trying to pick my spot with how to position the last \$2M+. There is a delicate balance of selecting the proper measuring life which offers time and profit efficiency against the risk of the measuring life expiring before we can act.

For instance, in our first run at death put bonds & cds, we purchased over \$800k. Unfortunately the measuring life died during the same trading day (virtually as we were buying the bonds). So far we have been able to redeemed only about \$320,000, leaving the balance on about \$500,000 unredeemable due to death on same day of purchase. We have since invested \$1,000,000 in which we be redeeming for profit on another measuring life.

I would like to talk to you after I send you an updated inventory sheet. I should get this updated sheet by tomorrow.

Thanks, Joe C.

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**From:** Joseph Caramadre [mailto:JoeC@epr.coxatwork.com]  
**Sent:** Monday, September 24, 2007 10:19 AM  
**To:** 'Donald Kushner'  
**Subject:** RE: annuities

Donald:

About \$8M is invested. I am picking my spot for the last \$2M. I will have complete details in a day or two. Joe

Joseph A. Caramadre, Esquire, CPA, CLU, ChFC, CFP  
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